

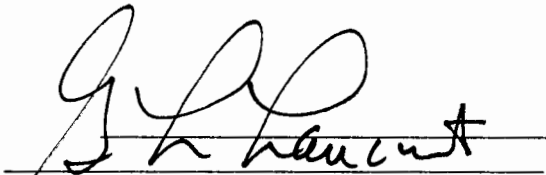
On February 1, 2005, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636 (b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On March 7, 2006, the magistrate judge issued a Report and Recommendation (Doc. 14) recommending that the District Court grant the Defendant Commissioner's Motion for Summary Judgment (Doc. 12) and deny the Motion for Summary Judgment (Doc. 10) filed by Plaintiff Milligan. Service of the Report and Recommendation was made on all parties. No objections were filed.

After a de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this _____ day of March, 2006, IT IS HEREBY ORDERED that the Defendant's Motion for Summary Judgment is granted, and the Motion for Summary Judgment filed by the Plaintiff is denied.

The Report and Recommendation of Magistrate Judge Caiazza dated March 7, 2006 is hereby adopted as the opinion of the court.



Judge Gary L. Lancaster
United States District Judge

3/27/06

cc:

Francis X. Caiazza
U.S. Magistrate Judge

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